UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CRESCENCIANO GONZALEZ,

                Plaintiff,

        -against-

BBKM ASSOCIATES LLC d/b/a MIRAGE DINER

and BILL KONTOLIOS,

                Defendants.

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Index No.: 20-CV-40 (DLI)(CLP)

AFFIRMATION IN SUPPORT OF MOTION TO WITHDRAW AS COUNSEL

    Valerie K. Ferrier, Esq., an attorney duly admitted to practice in this Court, affirms that the following statements are true under the penalties of perjury:

1.   I am a partner at the law firm of MARTIN CLEARWATER & BELL LLP, the attorneys of record for the Defendants in this action and, as such, am familiar with the facts and circumstances of this action.

2.   I respectfully submit this affirmation in support of the motion to withdraw as counsel to the Defendants, pursuant to Local Civil Rule 1.4.

3.   A breakdown in the attorney-client relationship has occurred. Contravention of the retainer agreement, including the lack of timely payment of legal fees associated with the defense of this case, as well as disagreement about strategy, has led to irreconcilable differences that make it impossible for Martin Clearwater & Bell to continue its representation of Defendants.

4.   The Defendants are aware of this application, as they have requested that Martin Clearwater & Bell withdraw from representation.

5.   Martin Clearwater & Bell is not retaining a charging lien in this matter.

6.   Therefore, pursuant to Local Civil Rule 1.4, I respectfully request that this Court enter an

Order (i) allowing attorneys Valerie K. Ferrier and Edward E. Warnke, as well as the firm

Martin Clearwater & Bell to withdraw as counsel of record for the Defendants; and (ii)

staying this litigation for at least sixty (60) days, to provide time for Defendants to secure

alternate legal counsel.

Dated: New York, New York
        July 15, 2020

                                        Respectfully submitted,

                                        MARTIN CLEARWATER & BELL LLP

                                        By: _____
                                            Valerie K. Ferrier, Esq.
                                            Attorneys for Defendants
                                            220 East 42nd Street
                                            New York, NY 10017
                                            212-916-0920